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09/664,486	09/18/2000	Thomas Meier	IBC-0033	4699

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EXAMINER
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TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 02/26/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/664,486

Applicant(s)

MEIER, THOMAS

Examiner

Thanhnga Truong

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Want et al (US 5,564, 070).

a. Referring to claim 1:

i. Want teaches:

(1) A method for authorizing access to computer applications using a computer installation which includes a computer station connected to an intercomputer communication network, a read unit in communication with the station, at least one portable object provided with a personalized electronic circuit having first signal transmission and reception means, storage means for access words to computer applications, said access words being kept secret by a read and/or write barrier, said electronic circuit having a memory including at least one readable verification word, the read unit having second signal transmission and reception means for communicating with the portable object when the latter is located within a determined zone [i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 which maintains wireless communication with the network via transceiver 16. In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be

**appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18)], wherein the method includes the steps of:**

(a) placing the portable object within the determined zone so that the read unit detects its presence, reads the readable word of the circuit memory and gives the instruction to the station to connect itself automatically to the communication network toward a checking file of a determined server for sending the readable word [i.e., **In Figure 2A, user 34 is located in cell 30 and is holding tab 26 (a small stylus-based mobile computer and very portable). User's tab 26 is depicted as displaying the results of a "You Are Here" program which continuously shows user's location in the workplace. This program resides and executes on a remote host (not shown). While in cell 30, tab 26 is in communications and processing connection with this program through wireless links with IR transceiver 16. As user 34 leaves cell 30, the user enters a "dead zone" and network connection with tab 26 is disrupted (column 7, lines 44-54)],**

(b) searching the checking file to see whether the readable word is included in a list of authorized words [i.e., **tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host, that is for "searching the checking file to see whether the readable word is included in a list of authorized words" (column 7, lines 6-9)],**

(c) only if the readable word has been found in the list, sending from the checking file a password, addressed to storage means to open the read barrier [i.e., **tab 26 is primarily used as a display terminal, that is "to open the read barrier", allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host (column 7, lines 6-9). Furthermore, In Figure 2A, user 34 is located in cell 30 and is holding tab 26. User's tab 26 is depicted as displaying the results of a "You Are Here" program which continuously shows user's location in the workplace. This program resides and executes on a remote host (not shown) (column 7, lines 44-48), and**

whereby the authentication for asking password is included in the program (column 21, lines 1-49], and

(d) communicating the access words contained in the storage means to the station in order to authorize said applications to be opened [i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 which maintains wireless communication with the network via transceiver 16. In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70, that is for "communicating the access words contained in the storage means to the station in order to authorize said applications to be opened" (column 8, lines 9-13). Besides, only applications that are registered with the shell may "talk" to the tab. The agent enforces this rule by comparing the application ID sent to it by the shell against the ID number presented by the application (column 22, lines 53-56).

b. Referring to claim 2:

i. Want further teaches:

(1) wherein the storage means for the access words to the applications are included in the memory of the electronic circuit of the portable object [i.e., In Figure 2A, user 34 is located in cell 30 and is holding tab 26 (a small stylus-based mobile computer). User's tab 26 is depicted as displaying the results of a "You Are Here" program which continuously shows user's location in the workplace (column 7, lines 44-48). Functionally, tab 26 is a simple device. Its speed and memory (that is for storing "the access words to the applications") capacity are very modest, thus enabling these devices to be very small and consume little power. As a result, tabs 26 are very portable. The presently preferred tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host (column 7, lines 3-9)].

c. Referring to claim 3:

i. Want further teaches:

(1) wherein the storage means for the access words to the applications are included in the determined server [i.e., referring to **Figure 1, office 10, as configured, supports a "ubiquitous computing" environment. Components that might be found in such an environment comprise hardwired network backbone 12, radio and infrared transceivers 14 and 16 respectively, workstations 18, file servers 20 (that is for storing "the access words to the applications"), printers 22 and various mobile units 24, 26 and 28 (column 6, lines 11-16)].**

d. Referring to claim 4:

i. Want further teaches:

(1) wherein the addresses of the computer applications to be opened using access words are contained in the storage means [i.e., referring to **Figure 4, applications 68 are implemented on workstations 74 and 78, these are storage devices (column 8, lines 20-21)].**

e. Referring to claim 5:

i. This claim has limitations that is similar to those of claim 3, thus it is rejected with the same rationale applied against claim 3 above.

f. Referring to claim 6:

i. Want further teaches:

(1) wherein the read unit is a peripheral unit connected to the computer station for the supply of electric power and for the mutual transfer of data and/or commands [i.e., referring to **Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 which maintains wireless communication with the network via transceiver 16, that is "the read unit". In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18)].**

g. Referring to claim 7:

i. This claim has limitations that is similar to those of claim 6, thus it is rejected with the same rationale applied against claim 6 above.

h. Referring to claim 8:

i. Want further teaches:

(1) wherein the communication signals between the read unit and the portable object are magnetic or electromagnetic or optical or acoustic signals [i.e., referring to **Figure 4**, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26, that is “the portable object”, which maintains wireless (that is “electromagnetic”) communication, with the network via transceiver 16, that is “the read unit”. In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). In addition, although only radio and infrared transmission are employed in the presently preferred embodiment, it will be appreciated that other bands of the electromagnetic and acoustic spectrum might be suitable and that the present invention should not be limited to the use of these two particular frequencies. Additionally, it will be appreciated that multiple frequencies may be employed to partition the communication space into non-interfering cells (column 6, lines 53-61)].

i. Referring to claim 9:

i. Want further teaches:

(1) wherein the electronic circuit with the first transmission and reception means is a transponder having a coil for receiving and transmitting radio-frequency signals for communicating with the read unit [i.e., referring to **Figure 4**, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 (that is considered “a transponder having a coil for receiving and transmitting radio-frequency signals”) which maintains wireless communication with the

network via transceiver 16, that is "the read unit". In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). Furthermore, A similar communications partitioning is possible with a single radio frequency if the "near field" components produced by an antenna are used to couple the mobile units to the network (column 6, lines 44-47)].

j. Referring to claim 10:

i. Want further teaches:

(1) wherein the electric power supply of the transponder is provided using the radio-frequency signals received from the read unit [i.e., referring to Figure 4, the various software components are distributed among different workstations 72, 74, 76, and 78 connected to the network. User 34 holds tab 26 (that is considered "a transponder having a coil for receiving and transmitting radio-frequency signals") which maintains wireless communication with the network via transceiver 16, that is "the read unit" which considers to provide "the radio-frequency signals" (column 6, lines 32-33). In the presently preferred embodiment, transceiver 16 is connected to networked workstation 72 by RS-232 cable 70. It will be appreciated that other means of serial or parallel connection for the transceivers are possible and that the present invention should not be limited by the means depicted herein (column 8, lines 9-18). Furthermore, A similar communications partitioning is possible with a single radio frequency if the "near field" components produced by an antenna are used to couple the mobile units to the network (column 6, lines 44-47)].

k. Referring to claim 11:

i. Want further teaches:

(1) wherein the radio-frequency signals are amplitude modulated for the transmission of data and/or commands [i.e., referring to Figure 1, Mobile communication and computer units connect to backbone 12 via radio and



**infrared transceivers 14 and 16 respectively (column 6, lines 33-35), whereby “amplitude modulated for the transmission of data and/or commands” is considered to include in transceivers 14 and 16].**

l. Referring to claim 12:

i. Want further teaches:

(1) wherein the portable object is a watch or a bracelet or a necklace or a ring or a card or a badge **[i.e., tab 26 is a small stylus-based mobile computer, that is considered to be “a watch or a bracelet or a necklace or a ring or a card or a badge”. Tab 26 is designed to be clipped onto the belt of an employee and can be carried as a Personal Digital Assistant (PDA) throughout the workplace (column 6, lines 66-67 through column 7, lines 1-2)].**

m. Referring to claim 13:

i. Want further teaches:

(1) wherein the read unit is entirely integrated in a mouse pad or a keyboard of the computer station **[i.e. referring to Figure 4, transceiver 16 is connected to networked workstation 72, that is “integrated in a mouse pad or a keyboard of the computer station” by RS-232 cable 70 (column 8, lines 14-15)].**

n. Referring to claims 14 and 15:

i. These claims have limitations that is similar to those of claim 13, thus they are rejected with the same rationale applied against claim 13 above.

o. Referring to claim 16:

i. Want further teaches:

(1) wherein the memory of the electronic circuit includes several readable words which are sent to the checking file, and wherein in step b), two additional verification words are calculated using an algorithm in the checking file one of said words being searched in the checking file in order to know whether it is authorised, said additional verification words being stored on their return in the electronic circuit of the portable object in the readable portion of the memory **[i.e., referring to Figure 1 functionally, tab 26 is a simple device. Its speed and memory, that is to “include several readable words which are sent to the checking file”, capacity are very**

modest, thus enabling these devices to be very small and consume little power. As a result, tabs 26 are very portable. The presently preferred tab 26 is primarily used as a display terminal, allowing computer applications to be accessed by tab 26 while the application resides and executes on a remote host, that is to include "two additional verification words" (column 7, lines 3-9)].

p. Referring to claim 17:

i. Want further teaches:

(1) wherein the read unit contains the address of the determined server in a storage module, as well as address initiation software to give the instruction to the work station to connect itself automatically to the checking file of the determined server, as soon as the read unit has detected the portable object [i.e., if the packet is error free, then the gateway decodes the packet to obtain the "tab number". The tab number is a virtual address assigned to each tab. This number is included in every message sent by the tab to the transceiver. If the gateway has a current communications "queue" set up for this tab, then the gateway appends its address to the packet and send the packet to the queue for transmission to the agent (column 10, lines 62-67 through column 11, lines 1-2)].

q. Referring to claim 18:

i. This claim has limitations that is similar to those of claim 10, thus it is rejected with the same rationale applied against claim 10 above.

r. Referring to claims 19 and 20:

i. These claims have limitations that is similar to those of claim 13, thus they are rejected with the same rationale applied against claim 13 above.

s. Referring to claim 21:

i. This claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

t. Referring to claim 22:

i. This claim has limitations that is similar to those of claims 6, 7, and 12, thus it is rejected with the same rationale applied against claims 6, 7, and 12 above.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1 is also rejected under 35 U.S.C. 102(e) as being anticipated by Diamant et al (US 6,202, 153 B1).

a. Referring to claim 1:

i. Diamant teaches:

(1) A method for authorizing access to computer applications using a computer installation which includes a computer station connected to an intercomputer communication network, a read unit in communication with the station, at least one portable object provided with a personalized electronic circuit having first signal transmission and reception means, storage means for access words to computer applications, said access words being kept secret by a read and/or write barrier, said electronic circuit having a memory including at least one readable verification word, the read unit having second signal transmission and reception means for communicating with the portable object when the latter is located within a determined zone [i.e., referring to Figure 11, a schematic illustration of a computer system, referenced 890, a storage unit, referenced 810 a device, referenced 800 and a portable unit 850, for securing the computer system during communication, constructed and operative in accordance with yet another preferred embodiment of the invention. The computer system 890 is connected to a communication network 892 and to the device of the invention 800. The device 800 is also connected to storage unit 810. The device 800 includes a processor 802, a switching unit 804 and a wireless transceiver 803. The portable unit 850 includes

**a wireless transceiver 852 and a processor 854, connected thereto (column 16, lines 6-19)], wherein the method includes the steps of:**

(a) placing the portable object within the determined zone so that the read unit detects its presence, reads the readable word of the circuit memory and gives the instruction to the station to connect itself automatically to the communication network toward a checking file of a determined server for sending the readable word, (b) searching the checking file to see whether the readable word is included in a list of authorized words, (c) only if the readable word has been found in the list, sending from the checking file a password, addressed to storage means to open the read barrier, and (d) communicating the access words contained in the storage means to the station in order to authorize said applications to be opened [i.e., referring to Figure 11, the device 800 is operable to provide access secured areas in the storage unit 810 only when an authorized user, wearing the portable unit 850, is in the vicinity of the device 800. According to a wireless mode of Diamant, the wireless transceiver 852 transmits a signal to the wireless transceiver 803. The wireless transceiver 803 detects this signal and provides it to the processor 802 which regard it as an enable signal to provide access to the secured areas in storage unit 810. According to this mode, if the user has left the premises and wireless transceiver 803 does not detect the signal transmitted by the wireless transceiver 852, the device 800 denies access to the secured areas of the storage unit 810. According to another wireless mode, the processor 854 provides the wireless transceiver 852 commands to transmit a different signal from time to time. The processor 802 is then adapted to recognize the various signals or the change between them. According to a further wireless mode, wireless transceiver 803 and wireless transceiver 852 communicate using bi-directional communication. Thus, the processors 802 and 854 are operative to exchange decoded signals, so as to enhance even more the level of security (column 16, lines 49-67 through column 17, lines 1-5)].

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. McSpadden et al (US 6, 087, 954) discloses a system for assisting handicapped individuals in operating gasoline dispensers which includes a transponder in which data is stored according to the specific gasoline requirements of the individual. A transceiver is located proximate the gasoline dispenser and interrogates the transponder to obtain such stored data, and generates a signal which is a function of the stored data that is transmitted to a computer which receives the signal and generates predetermined control signals for operating the gasoline dispenser. The system may also include a warning signal device activated by the transponder to notify an attendant that the handicapped individual is approaching and this device may include a read-out device, which displays predetermined personal information relating to the handicapped individual (see abstract).

b. Ezzet et al (US 5, 414, 817) discloses An adapter system for coupling a mobile computer to a computer network is disclosed. When the mobile computer is not connected to the computer network, the invention stores network messages intended for the mobile computer. When the mobile computer is reconnected to the computer network, the adapter system sends the messages received in its absence to the mobile unit in the order the messages were received (see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 703-305-0327.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

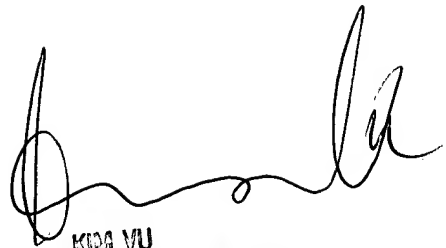
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/664,486  
Art Unit: 2135

Page 13

TBT

February 20, 2004



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100